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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN EMMETT BROWN,

11 Petitioner,

12 v.

13 UNITED STATES OF AMERICA,

14 Respondent.
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CASE NO. C20-929 MJP

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

16 This matter comes before the Court on Petitioner's motion for appointment of counsel
17 (Dkt. No. 2). The Court, having reviewed Petitioner's motion and the related record, DENIES
18 the motion.

19 There is no right to have counsel appointed in cases brought under 28 U.S.C. § 2255
20 unless an evidentiary hearing is required. See Terrovona v. Kincheloe, 852 F.2d 424, 429 (9th
21 Cir. 1988); Brown v. Vasquez, 952 F.2d 1164, 1168 (9th Cir. 1991), cert. denied, 503 U.S. 1011
22 (1992); and Rule 8(c) of the Rules Governing Section § 2255 Cases in the United States District
23 Courts. The Court may exercise its discretion to appoint counsel for a financially eligible
24 individual where the "interests of justice so require." 18 U.S.C. § 3006A. However, Petitioner

1 fails to satisfy the Court that the interests of justice are best served by appointment counsel at
2 this juncture. If the Court later orders an evidentiary hearing, the Court will appoint counsel if
3 Petitioner qualifies.

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5 The clerk is ordered to provide copies of this order to all counsel.

6 Dated July 16, 2020.

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9 Marsha J. Pechman
United States Senior District Judge